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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,984	09/28/2001	E-Lee Chang	BELL-0128/01181	5167

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EXAMINER	
WOO, STELLA L	

ART UNIT	PAPER NUMBER
2643	13

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/965,984	CHANG ET AL.	
	Examiner	Art Unit	
	Stella L. Woo	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 May 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,5-18,22-26 and 28-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3, 5-18, 22-26, 28-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 13, 2004 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 5-16, 22-23, 25, 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boling et al. (US 6,226,510 B1, hereinafter "Boling") in view of Loomis et al. (US 5,625,668, hereinafter "Loomis"), and further in view of Markowitz et al. (US 6,295,346 B1, hereinafter "Markowitz")..

Boling discloses a method for distributed notification, the method comprising:

receiving a location signal at a base station (the private emergency response service can be considered as a base station which receives a location signal and identity information from the user's phone/pager 10; col. 3, line 65 – col. 4, line 28; col. 5, lines 1-4; col. 6, lines 19-39);

storing a contact profile (the private emergency response service maintains a list of persons to contact; col. 4, lines 1-4);

providing to each of the plurality of contacts a respective notification message (the private emergency response service forwards the emergency caller's location and identify information to each person on the list; col. 4, lines 4-11).

Boling differs from claims 1-3, 5-16, 22-26, 28-30 in that it does not specify determining from the location signal a street address. However, Loomis teaches the desirability of converting latitude and longitude data into street address format using indexed databases (col. 2, lines 30-59) such that it would have been obvious to an artisan of ordinary skill to incorporate such conversion of location data, as taught by Loomis, within the method of Boling in order to provide location information in a format which is more helpful to the recipient.

Boling further differs from the claims in that a notification message is provided to a public emergency response service by a separate call from the user's phone/pager rather than from the base station (private emergency response service)(col. 4, lines 26-30). However, Markowitz teaches the desirability of having the private emergency response service (outcall module 190 in Figure 1) place a phone call to the public emergency service along with phone calls to each of a plurality of contacts (col. 3, line 63 – col. 4, line 5) so that only a single phone call from the user to the private response service is needed. It would have been obvious to an artisan of ordinary skill to modify the method of Boling by having the private response service place the call to the public emergency service along with the calls to the list of contacts, as taught by Markowitz, in order to eliminate the need for an additional phone call to the public emergency service from the user's phone/pager.

Regarding claim 3, in Boling, location data is received from GPS receiver 64 (col. 6, lines 22-30; col. 10, lines 16-25).

Regarding claims 5-6, in Boling, location information includes longitude/latitude coordinates (col. 4, lines 20-21; col. 10, lines 19-24).

Regarding claims 7-9, Markowitz teaches the desirability of communicating an emergency notification message to a predefined set of parties in the form of an e-mail message in lieu of a voice message (col. 7, lines 34-45, 51-53) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of e-mail, as taught by Markowitz, within the method of Boling and Loomis in order to allow for the option of e-mail notification.

Regarding claims 8-9, Markowitz provides for using a template (col. 7, lines 45-50).

Regarding claims 10-12, 25, Markowitz teaches the desirability of communicating an emergency notification message by synthesized voice (col. 4, lines 6-45) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of a synthesized voice message, as taught by Markowitz, within the method of Boling and Loomis when notifying each contact over the telephone system.

Regarding claims 11-12, Markowitz uses a voice template to form a notification message (col. 4, lines 10-45).

Regarding claim 13,in Boling, the caller's identity is received from the caller's phone/pager (col. 4, lines 6-7).

Regarding claim 14, in Markowitz, information regarding the caller's identity is retrieved from subscriber database 120 (col. 3, lines 33-38).

Regarding claims 15-16, the triggering event is the activation of the emergency button 20 (col. 3, lines 55-64; col. 6, lines 52-56).

4. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Boling, Loomis and Markowitz ,and further in view of McCurdy (US 6,340,928 B1).

The combination of Boling, Loomis and Markowitz differs from claim 17 in that it does not provide for the detection of an automobile collision. However, McCurdy teaches the well known use of collision detection (vehicle crash sensing system 40) as a triggering event to automatically placing an emergency call (Abstract) such that it would have been obvious to an artisan of ordinary skill to incorporate such collision detection, as taught by McCurdy, within the method of Boling, Loomis and Markowitz in order to automatically report an emergency from a vehicle in response to a collision in case the user is not physically able to activate the emergency button.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Boling, Loomis and Markowitz, and further in view of Pons et al. (US 5,805,670, hereinafter "Pons").

The combination of Boling, Loomis and Markowitz differs from claim 18 in that it does not specify the notification message containing the status of the event. However, Pons teaches the desirability of including ongoing incident details within the notification message (col. 1, lines 45-48, 58-62; col. 11, lines 14-16) such that it would have been obvious to an artisan of ordinary skill to incorporate such reporting of event status, as taught by Pons, within the method of Boling, Loomis and Markowitz so that other can be apprised of the latest state of events, such as the destination medical treatment facility to which the 911 caller is being transported.

6. Claims 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Boling and Loomis, and further in view of Tsumpes (US 6,442,241 B1).

The combination of Boling, Loomis and Markowitz differs from claims 24 and 26 in that it does not specify the contact profile as including a contact type associated with each contact or contact via Internet connection. However, Tsumpes teaches the desirability of communicating an emergency notification message to a list of contacts in a variety of ways, such as voice, pager, voice mail, fax and e-mail (which takes place over the Internet), with the subscriber account record indicating the formats in which a message is to be communicated for each contact (Abstract; Figure 4; col. 6, lines 10-23) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of a variety formats, as taught by Tsumpes, within the method of Boling, Loomis and Markowitz in order to provide options as to how each contact is to be notified.

Response to Arguments

7. Applicant's arguments with respect to claims 1, 3, 5-18, 22-26, 28-30 have been considered but are moot in view of the new grounds of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (703) 305-4395. The examiner can normally be reached on Monday-Tuesday, Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stella L. Woo
Primary Examiner
Art Unit 2643